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## **PROPOSAL FOR A RECOMMENDATION**

pursuant to Rule 49(1) of the Rules of Procedure

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on the reform of the Conventions on drugs

**Recommendation on the reform of the conventions on drugs**

*The European Parliament,*

- A. whereas international policies on drugs derive from the UN Conventions of 1961, 1971 and 1988 and whereas these Conventions prohibit the production, trafficking, selling and consumption for ends other than medical or scientific ones of a whole range of substances,
- B. whereas, despite massive deployment of police and other resources to implement the UN Conventions, production and consumption of, and trafficking in, prohibited substances have increased exponentially over the past 30 years, representing what can only be described as a failure, which the police and judicial authorities also recognise as such,

**Prevention and treatment**

whereas:

- abuse of narcotics and psychotropic substances, particularly by young people, is a serious problem on a global scale,
- all the developed nations are seeking better ways of controlling the abuse of narcotics and psychotropic substances,
- the long history of prohibition has clearly demonstrated that relying mainly on action taken by the State through criminal law and the police has only a marginal effect in controlling the abuse of narcotics and psychotropic substances,
- there is strong evidence to suggest that effective treatment programmes can be successfully developed without State constraints, allowing the broadest possible experimentation in the unending search to improve our ability to assist the victims of narcotic and psychotropic substance abuse,

**Production and trafficking**

whereas:

- the vast majority of narcotics and psychotropic substances move freely around the world despite prohibitionist laws,
- the growing profits that criminal organisations make from trading in illegal substances, which are reinvested in criminal activities or legal financial circuits, have reached such a level that the foundations of legal institutions and constitutional governments are being undermined by them,
- the profitability of trading in illicit substances can only lead to a rise in the number of countries involved in drug production and generate massive investment in developing and producing new synthetic drugs,
- the main effect of deploying vast resources to curb trafficking in illegal substances has been a rise in their price (criminal tariff) which is of benefit only to organised crime

networks,

### **Social and health-related effects and use**

whereas:

- users of illegal substances do not usually have access to reliable information on the composition and effects of narcotics and psychotropic substances, and are therefore exposed to risks (including death by overdose and transmission of the HIV/AIDS virus) which are far greater than the dangers of the substances themselves,
- the clandestine nature of illegal substance use is often an insurmountable obstacle to the work of prevention and the provision of assistance by the State and private organisations; current policies thus condemn users to living on the margins of society, in permanent contact with the world of organised crime,
- organised crime operates in a way that causes the number of users to increase rapidly, encouraging them to move from relatively inoffensive substances, such as cannabis derivatives, to so-called hard drugs,
- great economic need and the enormous pressure from organised crime lead users of illicit substances to become dealers themselves, which increases drug abuse still further,

### **Legal and penal aspects**

whereas:

- the application of repressive laws on drugs inevitably puts intolerable pressure on national and international legal and penal systems, to such an extent that a growing number of the people now in prison are there for crimes directly or indirectly linked to narcotics and psychotropic substances,
- the implementation of current drug policy has led to the introduction into national legislation of laws that restrict individual freedom and civil liberties,

whereas the viability of current policies and the search for alternative solutions are currently under consideration in a growing number of countries,

1. Contends that the policy of prohibiting drugs, based on the UN Conventions of 1961, 1971 and 1988, is the true cause of the increasing damage that the production of, trafficking in, and sale and use of illegal substances are inflicting on whole sectors of society, on the economy and on public institutions, eroding the health, freedom and life of individuals;
2. Strongly urges the Council and the EU Member States to take account of the positive results achieved in a number of countries by putting in place policies based on damage and risk reduction (particularly using substitution treatment), decriminalising the use of certain substances, partially decriminalising the sale of cannabis and its derivatives and making heroin available under medical supervision;

3. Calls on the Council and the EU Member States to take measures to make the fight against organised crime and trafficking in narcotics and psychotropic substances more effective, by establishing a system of legal control and regulation of the production, sale and use of currently illegal substances;
4. Calls on the Council and the EU Member States to begin a process of revising the UN Conventions on the occasion of the conference for the mid-term review of UN drug policies to be held in Vienna in April 2003, with the aim of repealing or amending the 1961 and 1971 Conventions with a view to reclassifying substances and legalise the use of drugs for purposes other than medical or scientific ones, and to repealing the 1988 Convention.